

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALFRED FITZGERALD HOOD,
Plaintiff,
v.
ROSEN, et al.,
Defendants.

Case No. 2:23-cv-01980-KJM-JDP (PC)

ORDER

Plaintiff, a former inmate proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 29, 2024, the magistrate judge filed findings and recommendations, which were served on plaintiff, and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has not filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

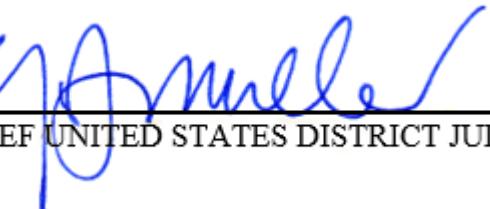
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1 . . ."). Having reviewed the file, the court finds the findings and recommendations to be
2 supported by the record and by the proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations, July 29, 2024, are adopted in full;
5 2. Plaintiff's false prosecution claim against the City of Roseville is dismissed without
6 leave to amend as non-cognizable; and
7 3. This action is referred back to the assigned magistrate judge for further pretrial matters.

8 DATED: August 23, 2024.

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11 CHIEF UNITED STATES DISTRICT JUDGE
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